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Oliver Schmitt

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EXAMINER

HWANG, STAMFORD

ART UNIT

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/590,226	Applicant(s) SCHMITT ET AL.	
	Examiner STAMFORD HWANG	Art Unit 4173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 July 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>07/17/2009, 10/29/2007 and 08/21/2006</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Specification

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Objections

Claims 1, 2, 3, 4, 5, 7, 8, 10 and 14 are objected to because of the following informalities: The abbreviations, UMTS-FDD, UMTS and WLAN, should be spelled out. Appropriate correction is required.

Claim Constructions

Claims 7, 8 and 9 recite "UMTS signals comprise Internet data" and "UMTS signals comprise voice data", and "voice data comprise voice messages and fax messages", respectively. However, Claims 7, 8 and 9 do not limit the claims they depend on as the limitations recited are non-functional descriptive materials, which do not change the nature of the data outputted from the device in Claim 1, and therefore the recited limitations in Claims 7, 8 and 9 are only representations of the same limitations in Claim 1. The examiner has construed "Internet data", "voice data", "voice messages" and "fax messages" as signals outputted from the device in Claim 1.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

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The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1 - 14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim element "means for converting" in Claims 1, 2, 3 and 10 is a means (or step) plus function limitation that invokes 35 U.S.C. 112, sixth paragraph. However, the written description fails to disclose the corresponding structure, material, or acts for the claimed function. Despite the recitation of the claim language "means for converting" in the specification, there is no disclosure of structure, material or act for performing the claimed function in either the specification or the claims, and therefore, the examiner is unable to determine the structure of the means for converting.

Applicant is required to:

- (a) Amend the claim so that the claim limitation will no longer be a means (or step) plus function limitation under 35 U.S.C. 112, sixth paragraph; or
- (b) Amend the written description of the specification such that it expressly recites what structure, material, or acts perform the claimed function without introducing any new matter (35 U.S.C. 132(a)).

If applicant is of the opinion that the written description of the specification already implicitly or inherently discloses the corresponding structure, material, or acts so that one of ordinary skill in the art would recognize what structure, material, or acts perform the claimed function, applicant is required to clarify the record by either:

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- (a) Amending the written description of the specification such that it expressly recites the corresponding structure, material, or acts for performing the claimed function and clearly links or associates the structure, material, or acts to the claimed function, without introducing any new matter (35 U.S.C. 132(a)); or
- (b) Stating on the record what the corresponding structure, material, or acts, which are implicitly or inherently set forth in the written description of the specification, perform the claimed function. For more information, see 37 CFR 1.75(d) and MPEP §§ 608.01(o) and 2181.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Shaheen et al. (U.S. 7,050,800 B2).

With respect to Claim 1, Shaheen et al. teaches a device for converting UMTS-FDD signals into WLAN signals, comprising:

- a receiver unit for receiving the UMTS-FDD signals (**Fig. 2, Format Converter 16, Col. 2, line 13 - 36**);

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- means for converting the signals received into WLAN signals (**Fig. 2, Format Converter 16, Col. 2, line 13 - 36**); and
- means for providing or transmitting the WLAN signals (**Fig. 2, Format Converter 16, Col. 2, line 13 - 36**).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 3, 4, 5 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shaheen et al. (U.S. 7,050,800 B2) as applied to Claim 1 above, and further in view of Tjalldin et al. (U.S. 2002/0037741 A1).

With respect to Claim 2, Shaheen et al. teaches all of the limitations in Claim 1 as discussed above. Shaheen et al. does not teach further comprising:

- means for converting the UMTS signals received into signals according to a telephone standard; and
- means for providing or transmitting the signals according to the telephone standard.

Tjalldin et al. teaches the above limitations in **Paragraph [0016], Claim 3, 6 and**

7.

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It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the device in Shaheen et al. to convert UMTS signals to a telephone standard, as taught by Tjalldin et al., to facilitate the conversion of multiple communication signals. Further, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to substitute BLUETOOTH interface with either GSM/GPRS, WLAN or UMTS interface as all of the claimed standard are listed in Tjalldin et al. and therefore it is obvious to try and within the level of ordinary skill in the art to substitute one standard with another.

Claim 3 recites the same limitations as Claims 1 and 2 and therefore is rejected using the same art and rationale as of Claims 1 and 2 above.

Claim 4 recites the same limitations as Claim 1 and therefore is rejected using the same art and rationale as of Claim 1 above.

With respect to Claim 5, Tjalldin et al. teaches wherein the means for providing or transmitting the WLAN signals comprises a slot and a plug-in WLAN card to be inserted into the same, by means of which signals according to the WLAN standard are generated (**Paragraph [0016] and [0017]**).

Claim 14 recites the same limitations as Claim 5 and therefore is rejected using the same art and rationale as of Claim 5 above.

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Claims 6 and 10 - 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shaheen et al. (U.S. 7,050,800 B2) and Tjalldin et al. (U.S. 2002/0037741 A1), as applied to Claims 1 and 3 above, and further in view of Pitsoulakis (U.S. 2003/0035471 A1).

With respect to Claim 6, the combination of Shaheen et al. and Tjalldin et al. teaches all of the limitations in Claim 3 as discussed above. The combination does not teach wherein the means for providing or transmitting signals according to the telephone standard comprises a connecting unit for a telephone system or a fax machine.

Pitsoulakis teaches wherein the means for providing or transmitting signals according to the telephone standard comprises a connecting unit for a telephone system or a fax machine (**Fig. 1, Network 106**).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the means for providing telephone standard in Tjalldin et al. to include connecting units, as taught by Pitsoulakis, to allow better transmission of information.

Claim 10 recites the same limitations as Claims 3 and 6 and therefore is rejected using the same art and rationale as of Claims 3 and 6 above.

With respect to Claim 11, the combination of Shaheen et al. and Tjalldin et al. teaches all of the limitations in Claim 10 as discussed above. The combination does not

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teach wherein the at least one computer is connectable by means of the device both with each other and with the Internet. Pitsoulakis teaches wherein the at least one computer is connectable by means of the device both with each other and with the Internet **(Fig. 5 and Paragraph [0039])**.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to allow the device in Tjalldin et al. to connect with a computer, as taught by Pitsoulakis, to allow Internet access.

With respect to Claim 12, the combination of Shaheen et al. and Tjalldin et al. teaches all of the limitations in Claim 10 as discussed above. The combination does not teach wherein the at least one telephone system or fax machine communicates with the device via a cord-connected line. Pitsoulakis teaches wherein the at least one telephone system or fax machine communicates with the device via a cord-connected line **(Fig. 1, Network 106)**.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to allow the device in Tjalldin et al. to connect with a telephone system or fax machine through wire line, as taught by Pitsoulakis, to provide telephone services.

With respect to Claim 13, the combination of Shaheen et al. and Tjalldin et al. teaches all of the limitations in Claim 10 as discussed above. The combination does not teach wherein the device communicates with a transceiver unit for telephone or fax data

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and the transceiver unit has a cordless connection with the telephone system or the fax machine. Pitsoulakis teaches wherein the device communicates with a transceiver unit for telephone or fax data and the transceiver unit has a cordless connection with the telephone system or the fax machine (**Paragraph [0044] and Table 5**).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to allow the device in Tjalldin et al. to connect with a telephone system or fax machine cordlessly, as taught by Pitsoulakis, to provide convenient telephone services.

Claims 7, 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shaheen et al. (U.S. 7,050,800 B2) as applied to Claim 1 above, and further in view of Lewis et al. (U.S. 6,956,846 B2).

With respect to Claims 7, 8 and 9, Shaheen et al. teaches all of the limitations in Claim 1 as discussed above. Shaheen et al. does not teach wherein the UMTS-FDD signals or the UMTS signals comprise Internet data, voice data or fax messages.

Lewis et al. teaches wherein the UMTS-FDD signals or the UMTS signals comprise Internet data and voice data (**Col. 2, line 15 - 30**).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have Internet and voice data transmitted through UMTS signals to allow successful communication between two communicating devices.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Rostoker et al. (U.S. 6,006,105) teaches multi-frequency multi-protocol wireless communication device. Fletcher et al. (H1,837) teaches generic telecommunications system and associated call processing architecture. Brody et al. (U.S. 6,278,697 B1) teaches method and apparatus for processing multi-protocol communications. Grilli et al. (U.S. 6,438,117 B1) teaches base station synchronization for handover in a hybrid GSM/CDMA network. O'Shea (U.S. 7,580,390 B2) teaches reducing handover frequency error. Godshaw et al. (U.S. 2003/0104809 A1) teaches local wireless network system for cellular telephones. Purkayastha et al. (U.S. 6,987,985 B2) teaches wireless communication components and methods for multiple system communications. Hunkeler (U.S. 6,950,655 B2) teaches method and system wherein handover information is broadcast in wireless local area networks.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to STAMFORD HWANG whose telephone number is (571)270-5578. The examiner can normally be reached on Monday ~ Thursday 7:30AM ET~ 5:00PM ET, Friday 7:30AM ET~ 4:00PM ET.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Robertson can be reached on (571)272-4186. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/David L. Robertson/
Supervisory Patent Examiner
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/S.H./